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ENVIRONMENTAL IMPROVEMENT DIVISION

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*1. Huffman*  
*2. Humke*

May 31, 1988

Mr. Myron O. Knudson, P.E.  
U.S. Environmental Protection Agency  
Water Management Division (6W)  
Allied Bank Tower  
1445 Ross Ave.  
Dallas, TX 75202-2733

Re: EPA Public Notice / Homestake Mining Co. NM0020389

Dear Mr. Knudson:

I would like to bring your attention to EPA's recently published public notice (May 21, 1988) regarding the above NPDES permit. The notice responds to EID's comments regarding report submittal requirements. Specifically in issue no. 2, identified in the public notice, the EID is misquoted (copy enclosed) as saying that it "does not wish to receive copies of all DMRs and all other reports required by Part III.D. and requests clarification of the language 'if applicable' " (emphasis added). I enclose a copy of the state certification for your reference and call your attention to item no. 4. The comment clearly indicates that the State "does want" to receive copies of all DMRs and all other reports..." (emphasis added).

The standard language "if applicable" is confusing and should be clarified. The language states "DMRs...and all other reports... shall be submitted to the Director and to the State (if applicable) at the following address(es) ..." but never specifies to the permittee whether or not the requirement is applicable in their permit. The correction could easily be made by removing the parenthetical phrase.

I would appreciate your correcting the misstatement in the public notice. I appreciate your cooperation in this matter.

Sincerely,

*Kathleen M. Sisneros*

Kathleen M. Sisneros  
Chief  
Surface Water Quality Bureau

Enclosures

cc: Jack Ferguson, EPA Permits Branch (6W-P)  
Fred Humke, EPA Industrial Permits Section (6W-PI)  
Edward Kennedy, Homestake Mining Co.  
Richard Mitzelfelt, EID Deputy Director

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6W-PS

Homestake Mining Company

NM0020389

From EID  
Certification  
April 20, 1988

Comments that are not Conditions of State Certification

1. Page 2 of the Fact Sheet states, "... after consultation with the State of Texas,...". This facility is located in the State of New Mexico.
2. Part 1, Page 3 of the draft permit states, "The pH shall not be less than 6.6 standard units nor greater than 8.6 standard units and shall be monitored 1/week by grab sample."  
Fact Sheet, Page 3 states:  
pH limitations within the range of 6.6 to 8.6 S.U. are continued on the present permit limitations which were established by the New Mexico Environmental Improvement Division under New Mexico water quality standards.  
The State of New Mexico Water Quality Management Plan, Work Element 6, October, 1985, provides for a pH range of 6.0 - 9.0 standard units.
3. Delete C. and D. of Part II, Page 1 and the (\*2) footnote for chemical oxygen demand of Part I, Page 2 of the draft permit per Glenn Saums letter of February 4, 1986 (letter attached).
4. Part III, Page 3, Section D.4. of the draft permit states:  
Duplicate copies of the DMRs, signed and certified as required by Part III.D.11 and all other reports required by Part III.D. shall be submitted to the Director and to the State (if applicable) at the following address(es):  
Please clarify the language "if applicable." The State does want to receive copies of all DMRs and all other reports required by Part II.D.
5. Public Notice, Page 2, states:  
The discharge from this existing uranium mine is made into San Mateo Creek in the Rio Grande Basin, a water of the United States classified for irrigation, limited warmwater fishery, livestock and wildlife watering and secondary contact recreation.  
This stream segment is not classified, it is unclassified.
6. Fact Sheet, Page 1, 4., states:  
Stream standards are: the general and specific stream standards are provided in "Water Quality Standards for Interstate and Intrastate Streams in New Mexico", New Mexico Water Quality Control Commission, February 15, 1985.  
The date for the recently approved edition is April 25, 1988. Change February 15, 1985 to April 25, 1988.

From EPA Public Notice  
May 21, 1988

This is our response to the comments received on the subject draft NPDES permit in accordance with our regulations.

RESPONSE TO COMMENTS  
DRAFT NPDES PERMIT

Permit No.:	NM0020389
Permittee:	Homestake Mining Company
Facility Name/Location:	McKinley County, New Mexico
Draft Permit Public Notice Date:	March 26, 1988
Prepared by:	Fred Humke

Issue No. 1

NMEID suggests that pH limitations be revised to within the range of 6.0 to 9.0 S.U.

Response No. 1

EPA has made this change.

Issue No. 2

NMEID states that it does not wish to receive copies of all DMRs and all other reports required by Part III.D. and requests clarification of the language "if applicable".

Response No. 2

NMEID and the permittee should resolve what information, if any, to submit to NMEID.

Issue No. 3

NMEID wishes to continue monitoring and reporting requirements for total molybdenum, total selenium, lead-210, polonium-210, barium and manganese.

Response No. 3

These are reinstated in the permit.